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EXAMINER				
LY, CHEYNE D				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/647,300

**Applicant(s)**

KIM ET AL.

**Examiner**

CHEYNE D. LY

**Art Unit**

2168

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 4-14 and 16-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-14, and 16-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 27, 2008 has been entered.
2. Applicants' arguments have been fully considered but they are not deemed to be persuasive. Rejections and/or objections not reiterated from previous office actions are hereby withdrawn. The following rejections and/or objections are either reiterated or newly applied. They constitute the complete set presently being applied to the instant application.
3. Claims 1, 2, 4-14, and 16-22 are examined on the merits.

#### **REMARKS**

4. On pages 9-10, Applicant argues "Myers fails to disclose a media file management unit that creates a search window that displays media files to be searched." Applicant's argument is not persuasive because Myers discloses Figure 2 shows each clip with a representative frame...Clicking on the thumbnail image will show the clip using the Windows Media Player....the entire clip (page 109, column 1-2, section 6.1 Search Results View). The disclosed representative frame such as a thumbnail image has been interpreted as the claimed files to be searched. The searching is performed when clicking on the thumbnail image will show the clip using the Windows Media Player....the entire clip. The cited searching of Myers is consistent with the type of file searching exemplified by the instant specification.

5. As for the new limitation of "an interface unit that accesses media files stored in another information appliance by the control signal, and receives the media file. Myers describes "[w]e also want Silver to support original compositions of two types. First, people might just shoot some video with a camcorder, and then later want to edit into a production. The camcorder has been interpreted as the claimed "another information appliance..." (Page 108, column 2, Types of Productions section). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to make and use the system of Myers with another information appliance such as a camcorder.

***CLAIM REJECTIONS - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-3, 5, 6, 8-16, and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Myers et al. (2001) (Myers hereafter).
8. In regard to claim 1, Myers discloses a media file management system (page 106, Abstract etc.), comprising:
  - a control signal input unit that receives at least one control signal transmitted from an input device to control operations of the media file management system (page 1, column 1, section 4. INFORMEDIA, to section 5. TYPES OF PRODUCTIONS, e.g. "Informedia...a searchable multimedia library...the material is processed by Informedia);
  - a media file management unit that creates a search window that displays media files to be searched (page 109, column 2, section 6.1 Search Results View, e.g. Figure 2 shows each clip with a representative frame...Clicking on the thumbnail image will show the clip using the Windows Media Player....the entire clip) and an edit window that displays a media content file to be edited, when the media file is required to be edited (page 110, columns 1-2, section 6.4 Timeline View, e.g. "the main view used for detailed editing"), and searching and managing the media files through the search window or the edit window in accordance with the at least one control signal (page 111, column 1, lines 1-6, e.g. "Timeline view window perform editing and playback operations"); and
  - a display driving unit that displays the search window and the edit window together in a single display screen (page 109, column 1, lines 14-19, "nine different screens" in a single display as exemplified on page 107, Figure 1), wherein the media file management unit is implemented in a single program application (page 109, column 1, lines 14-19, "Silver").

9. However, Myers does not explicitly describe the limitation of an interface unit that accesses files stored in another information appliance by the control signal, and receives the media files. Myers describes “[w]e also want Silver to support original compositions of two types. First, people might just shoot some video with a camcorder, and then later want to edit into a production. The camcorder has been interpreted as the claimed “another information appliance...” (page 108, column 2, Types of Productions section). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to make and use the system of Myers with another information appliance such as a camcorder.
10. In regard to claim 2, Myers discloses a memory unit that stores the media file edited by the media file management unit (page 108, columns 1-2, section 4, INFORMEDIA, e.g. database); and  
a display driving unit generates displayable results of the editing of the media file by the media file management unit (page 110, Figures 5 and 6, e.g. Timeline view).
11. In regard to claim 3, Myers discloses an interface unit that accesses media files stored in another information appliance (column 8, lines 16-27, e.g. (page 108, columns 1-2, section 4, INFORMEDIA, and page 109, column 1, last paragraph, “a search using Informedia”).
12. In regard to claim 5, Myers discloses the media files are album files containing at least one of image, music or movie files (page 108, columns 1-2, section 4, INFORMEDIA, e.g. multimedia library).
13. In regard to claim 6, Myers discloses wherein the media file management unit comprises:  
an application driving unit that drives an application configured to manipulate a type of media file selected, and manages the media file through the application (page 113, column 1,

section 7.1 Intelligent Selection);

an edit window creation unit that creates the search window (page 110, columns 1-2, section 6.4 Timeline View, e.g. “the main view used for detailed editing”) or the edit window (page 110, Figures 5 and 6, e.g. Timeline view); and

a media file search unit that searches for media files stored in at least one of the memory unit and another information appliance (page 109, column 2, section 6.1 Search Results View, e.g. Figure 2).

14. In regard to claim 8, Myers discloses the media file management unit causes results of the execution of a file edit command for a media file selected in the search window to be displayed in the edit window (page 112, column 2, lines 1-3, e.g. “the user selects a portion of the video on one view in Silver, the equivalent portion is highlighted in all other views” as exemplified in Figure 1).

15. In regard to claim 9, Myers discloses the media file management unit causes results of the execution of a file edit command for a media file selected in the edit window to be displayed in the search window (page 112, column 2, lines 1-3, e.g. “the user selects a portion of the video on one view in Silver, the equivalent portion is highlighted in all other views” as exemplified in Figure 1).

16. In regard to claim 10, Myers discloses the file edit command includes delete command (page 111, column 1, lines 3-4, e.g. delete).

17. In regard to claim 11, Myers discloses the media file management unit is configured to copy the media file selected in the search window into the edit window in response to the Copy command being selected, and is configured to move the media file selected in the

search window into the edit window in response to the Move command being selected (page 111, column 1, lines 3-4, e.g. copy and paste wherein paste has been interpreted as “move”).

18. In regard to claims 12-16, 18, and 19-22, Myers describes the claimed system for the implementing the claimed method as recited in claims 12-16, 18, and 19 as cited above.

19. In regard to claims 20-22, Myers describes “the Silver editor in Visual Basic...to distribute to our video editor so people can use it” which support that Silver is a computer readable medium.

**20. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Myers et al. (2001) (Myers hereafter) as applied to claims 1-3, 5, 6, 8-16, and 18-22 above, and further in view of Chernock et al. (US 6,229,524B1) (Chernock hereafter).**

#### **MOTIVATION TO COMBINE**

21. Chernock describes an improvement to well known in the art video editors (column 1, lines 31-33) by providing a simple interface that allows a viewer to navigate a cursor among current hot spots and make a selection of function associated with one of them (column 2, line 66, to column 3, line 2). While, Myers describes a video editor interface comprising a cursor for user selection (page 111, section 6.5 Preview View, e.g. user moves the cursor through the time line). Therefore, one of ordinary skill in the art at the time of the invention would have been motivated by Chernock to improve the editor of Myers to provide a simple interface that allows a viewer to navigate a cursor.

#### **BASIS FOR PRIOR ART**

22. In regard to claim 4, Myers describes the claimed invention except for the limitation of “universal remote control function.” Chernock describes the transmission of video data with



the use of universal remote control function (column 4, lines 64-65, e.g. Universal Remote Control). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of Myers with the universal remote control device of Chernock to provide a simple interface that allows a viewer to navigate a cursor via a Universal Remote Control.

**23. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myers et al. (2001) (Myers hereafter) as applied to claims 1-3, 5, 6, 8-16, and 18-22 above.**

24. In regard to claims 7 and 17, Myers does not explicitly describe paths of the media files are displayed in the edit window or the search window. However, Myers suggest a plan to add support for many other views such as adding WWW links (paths) in all other views might also be useful. Therefore, one of ordinary skill in the art at the time of the invention would have been motivated by Myers to add WWW links (paths) in all other views. Therefore, it would have been obvious to one of ordinary skill in the art to use the method of Myers with the paths of the media files are displayed in the edit window or the search window.

### **CONCLUSION**

25. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the

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type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

26. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-1999. The USPTO's official fax number is 571-272-8300.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo, can be reached on (571) 272-3642.

/Cheyne D Ly/  
Primary Examiner, Art Unit 2168